

**THE MISSISSIPPI LOTTERY CORPORATION
POLICIES AND PROCEDURES MANUAL**

HUMAN RESOURCES POLICY

EMPLOYEE GRIEVANCE POLICY

PURPOSE:

The purpose of the employee grievance policy is to provide a communications process for hearing certain complaints of current employees and certain former employees. The objective of the process is to reach a fair and equitable decision in a timely manner. When possible, the employee and immediate supervisor should make every effort to resolve any grievance before the employee files a written grievance with his or her immediate supervisor. However, if the grievance should directly involve the immediate supervisor, the employee should address his/her grievance to the next person in the chain of command in the department.

Employees should feel free to file grievances without fear of reprisal, coercion, or discrimination.

SCOPE:

This policy and procedure apply to all current regular employees and organizational units of the Mississippi Lottery Corporation (“MLC”). Formerly employed individuals who wish to file a grievance pursuant to this policy must do so within five (5) business days of their date of separation, following all procedural guidelines.

Because problems are best resolved on an individual basis, a grievance may only be initiated by an employee on an individual basis and not by groups of employees. All grievances must be made in good faith.

Claims related to workplace harassment or unlawful discrimination shall be governed by MLC Policy “Workplace Harassment” and its procedures.

DEFINITIONS:

- A. A grievance is a complaint or dispute by a current or former employee alleging:
 - 1. The employee's employment or productivity has been adversely affected by unfair treatment;
 - 2. The existence of unsafe or unhealthy working conditions; or
 - 3. The unfair application of or error in the interpretation of MLC policies and procedures.
- B. Grievance Committee - A group of three (3) MLC employees appointed by the President to conduct a grievance review and submit a recommendation for such officer’s review.

NON-GRIEVABLE AREAS:

The following areas cannot be grieved:

- A. Issues which are pending or have been concluded by judicial procedures.
- B. Work assignments which do not result in a demotion or salary reduction.
- C. Budget allocations and expectations, and organizational structure, including the number of persons or persons assigned to particular positions or units.
- D. The selection of an individual to fill a position through the hiring process, promotion or transfer.
- E. Any matter which is not within the jurisdiction or control of the MLC.
- F. Internal security practices established by the MLC.
- G. Decisions, practices, resolutions or policies made or passed by the MLC which are not job or work related and which do not contradict these policies.
- H. Decisions, comments or actions related to annual performance appraisals.

STEPS IN THE GRIEVANCE PROCESS:

- A. Step One (1): Filing a Formal Grievance
 - 1. A current employee may file a formal written grievance within five (5) working days after the occurrence of the event being grieved. The grievance statement must be submitted in writing using the official grievance form (Form A), and it must state the specific complaint including but not limited to time, date, personnel involved and proposed outcome. The grievant must send the grievance to the Vice President of Human Resources. The Vice President of Human Resources will review the document and determine if it meets the corporation's grievance criteria. If it meets said criteria, he/she will distribute copies to the supervisor named, the department vice president, and the Sr Vice President of the department. If the grievance deals with the immediate supervisor, then the grievance will be handled at the next supervisory level.
 - 2. The supervisor will schedule a meeting with the grievant, the Vice President of Human Resources or his/her designee and any other parties involved, in order to gather relevant facts which will be pertinent to the resolution of the grievance. The grievant will have five (5) working days to respond to a request for the scheduling of a meeting date. Failure to do so will result in the dismissal of the grievance. Within five (5) working days of the last meeting, the supervisor will issue a written resolution recommendation (using Form B) to the grievant. A copy of the supervisor's response shall be forwarded to the Vice President of Human Resources, the department vice president, the Sr Vice President of the department, and the President.
 - 3. A former employee must submit his/her complaint to the Vice President of Human Resources within five (5) working days of termination. The grievance will be handled by the Sr Vice President of his/her former department. All parties will follow the steps outlined in B and C below.

4. An officer of the corporation (current or former) must submit his/her complaint to the Vice President of Human Resources within five (5) working days of the occurrence of the event being grieved. The grievance will be handled by the President who will appoint a grievance committee to conduct interviews. All parties will follow the steps outlined in paragraph B. below.
- B. Step Two (2): Following the Chain of Command
1. If the grievant is not satisfied with the recommended resolution, he/she may proceed with the grievance following the department's chain of command, up to the Sr Vice President of the department, by notifying the Vice President of Human Resources. (Note: the same format, timeframe and forms are to be used in every instance). The Sr Vice President of the department will meet with the grievant and the other parties involved, and within ten (10) working days after the last meeting, will issue a written resolution to the grievant. Concurrently, a copy of all documentation will be forwarded to the Vice President of Human Resources.
 2. The grievant must contact the Vice President of Human Resources within five (5) working days from the time he/she receives the Sr Vice President of the department's recommendation if he/she is not satisfied with the recommended resolution. The Vice President of Human Resources will review all documentation, and ensure all steps were followed then forward the grievance to a grievance committee.
- C. Step Three (3): Grievance Committee Review Process
1. A grievance committee will be appointed by the President and shall be composed of three (3) members of senior management from departments other than the grievant. This committee will be appointed by the President within ten (10) working days of the Vice President of Human Resources' receipt of the request. In the event the grievant is an officer of the corporation the Human Resources Committee of the MLC's Board of Directors will serve as the grievance committee and its decision will be final and binding.
 2. The grievance committee shall, within thirty (30) calendar days of receipt of the grievance, investigate the complaint, confer with the employee, immediate supervisor(s), vice president, Sr Vice President or any other persons deemed appropriate. For non-officers, the committee shall provide a written recommendation for disposition of the grievance to the President (Form C).
 3. The President will evaluate each grievance and assess each on its own individual merit. Within fifteen (15) working days of receipt of the grievance committee's investigation the President shall provide a written final and binding decision to the grievant. The decision of the President will be final and binding.

All dates noted in this subpart may be extended by the President upon a showing of compelling circumstances.

ATTACHMENTS:

Step 1 - MLC Grievance Policy Form A

Step 2 - MLC Grievance Policy Form B

Step 3 - MLC Grievance Policy Form C

Mississippi Lottery Corporation
Employee Formal Grievance
(Form A)

Employee Name _____ Position _____

Department _____ Division _____

Step _____

Employee Instructions:

An employee may file a formal written grievance directed to his or her immediate supervisor (or the next supervisory level if the grievance deals with the immediate supervisor), within five (5) working days after the occurrence of the event being grieved. The grievance statement must be submitted in writing attached to this official grievance form and it must state the specific complaint including but not limited to time, date, personnel involved and expected outcome. In determining the reason for grievance refer to the Employee Grievance Policy. The grievant must send this form to the Vice President of Human Resources. The Vice President of Human Resources will review the document and determine if it meets the corporation's grievance criteria. If it meets said criteria, he/she will distribute copies to the supervisor named, the department Vice President and the Sr Vice President of the department.

Original given to: _____ on _____, 20____
Name and Title

Employee Signature

Date

Mississippi Lottery Corporation
Response to Employee Formal Grievance
(Form B)

Name of Employee _____
Filing Grievance _____ Position _____

Department _____ Division _____

Date Grievance Received _____ Step _____

Supervisor Instructions:

The supervisor to whom the grievance is addressed must complete this form and provide a summary of the grievance meeting, his/her recommended resolution and the reason(s) for the decision.

Resolution returned to grievant on _____, 20____

Name of Supervisor Handling Grievance

Title

Supervisor's Signature

Date

Memorandum
(Form C)

To: President

From: {Employee Name} Grievance Committee

Date: Date

Subject: RECOMMENDATION

FACTS

Summarize the facts which pertain to the grievance from every aspect (i.e. documentation, statements provided by witnesses).

DISCUSSION

Summarize the discussion of the committee as to how the policies and procedures relate and should be applied to the grievance.

ISSUES

List any legal or company policies and procedures issues which relate to the grievance.

RECOMMENDATION

The committee's formal recommendation based on the information above.

If you have any questions, please let us know.

{Employee Name}, Committee Member

{Employee Name}, Committee Member

{Employee Name}, Committee Member